

**SUGGESTED CONCLUSIONS OF**  
**AMEREN TRANSMISSION COMPANY OF ILLINOIS**

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## **I. INTRODUCTION**

## **II. PROCEDURAL HISTORY**

## **III. DESCRIPTION OF PETITIONERS AND THE PROJECT**

The Project consists of four of MISO MVPs, totaling approximately 375 miles of new 345 kV transmission line connecting to facilities in Missouri and extending generally eastward to substations in or near Quincy, Meredosia, Ipava, Pawnee, Pana, Mt. Zion in the Decatur area, and Kansas, and then eastward to connect to the 345 kV system in Indiana. An additional portion from Sidney to Rising, Illinois will consist of a new 345 kV line connecting the existing Sidney Substation and the existing Rising substation. New breaker stations or expansions of existing stations will be constructed at Quincy, Meredosia, Ipava, Pawnee, Pana, Mt. Zion, Kansas, Sidney, and Rising. A 345/138 kV transformer will be installed at each of the Quincy, Meredosia, Pawnee, Pana, Mt. Zion, and Kansas substations. The proposed in-service dates range from 2016 to 2018, including the following portions, which have in service dates of 2016: River to Quincy, Quincy to Meredosia, Pana to Mt. Zion and Sidney to Rising.

## **IV. APPLICABLE STATUTORY AUTHORITY**

Section 8-406.1 of the Public Utilities Act allows a utility to apply for a Certificate of Public Convenience and Necessity for a new high voltage electric transmission line under an expedited procedure. 220 ILCS 5/8-406.1. Section 8-406.1(f) requires that the Commission grant a certificate:

if, based upon the application filed with the Commission and the evidentiary record, it finds the Project will promote the public convenience and necessity and that all of the following criteria are satisfied:

(1) That the Project is necessary<sup>1</sup> to provide adequate, reliable, and efficient service to the public utility's customers and is the least-cost means of satisfying the service needs of the public utility's customers or that the Project will promote the development of an effectively competitive electricity market that operates efficiently, is equitable to all customers, and is the least cost means of satisfying those objectives.

(2) That the public utility is capable of efficiently managing

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<sup>1</sup> "Necessary" does not mean "indispensible." "When the statute requires a certificate of convenience and necessity, the word 'necessity' is not always used in the sense of 'indispensably requisite.' If it is needful and useful to the public it is necessary." Eagle Bus Lines, Inc. v. Ill. Comm. Comm'n, 3 Ill. 2d 66, 78 (1954) (holding that a new bus line would serve the public convenience and necessity).

and supervising the construction process and has taken sufficient action to ensure adequate and efficient construction and supervision of the construction.

(3) That the public utility is capable of financing the proposed construction without significant adverse financial consequences for the utility or its customers.

Id.

In addition, Section 8-406.1 requires submission of certain information to support an application under that section, and sets forth a process for holding public meetings in counties affected by the proposed project. Id. Subsections 8-406.1(a), (d), and (e) require a utility to include certain information in its application, publish notice of the application in the official State newspaper, and establish a dedicated Internet website. Id.

## **V. COMPLIANCE WITH STATUTORY FILING REQUIREMENTS OF § 8-406.1**

In its initial filing, ATXI included the information required by Section 8-406.1(a). ATXI has paid the required fee to the ICC, as required by statute. ATXI published notice of its Petition in the state newspaper within 10 days of the date of its filing. The public was provided with newspaper notice of the statutorily-required meetings, which were held in all the counties where the Project is intended to be built. A Project website had also been established.

No party disputes that ATXI has filed its Petition in accordance with Section 8-406.1, or that ATXI has otherwise met the information and notice requirements. The only testimony concerning ATXI's compliance with statutory filing requirements is that of Staff witness Mr. Greg Rockrohr, who states, "In my opinion, ATXI has satisfied these Section 8-406.1 requirements." Thus, the Commission finds that ATXI has fully complied with all information, filing and notice requirements under Section 8-406.1.

## **VI. NEED FOR THE PROPOSED PROJECT AND FACILITIES**

In order to issue a Certificate for the Project, the Commission must find "that the Project is necessary to provide adequate, reliable, and efficient service to the public utility's customers and is the least-cost means of satisfying the service needs of the public utility's customers," or "that the Project will promote the development of an effectively competitive electricity market that operates efficiently, is equitable to all customers, and is the least cost means of satisfying those objectives." 220 ILCS 5/8-406.1(f)(1). The Commission finds that the Illinois Rivers Project is both necessary to provide adequate, reliable, least-cost service to customers, *and* will promote development of an effective, efficient, competitive electricity market.

The Project was an outcome of MISO's RGOS and MVP study processes, which

determined that a 345 kV path was required through central Illinois. The Commission concurs with Staff that “no reason [exists] to question MISO’s conclusion that an additional 345 kV line across central Illinois is necessary and the least cost means to satisfy the service needs of not only electric utility customers in Illinois, but also electric utility customers in the entire MISO footprint.”

MISO and ATXI explained that MVPs allow for efficient dispatch of generation resources, opening markets to competition and spreading the benefits of low cost generation throughout Illinois and the MISO footprint. These benefits include savings achieved through the reduction of transmission congestion and through more efficient use of generation resources. MISO analyses indicated that the MVP portfolio will produce an estimated \$12.4 to \$40.9 billion in present value adjusted production cost benefits to the aggregate MISO footprint under existing energy policies. Additional benefits include reductions in operating reserve requirements, planning reserve margin requirements, transmission system losses, capital costs of renewable resources, and deferrals of transmission investments. These additional factors contribute between \$3.1 billion and \$8.2 billion in additional present value of benefits above the production cost savings. Therefore, the Commission finds that the Illinois Rivers Project, as part of the MVP portfolio, will produce substantial market benefits.

ATXI has demonstrated that the Project will have a positive effect on market pricing for electricity. Effective economic competition is a function of supply and demand. Increases in the level of supply available to a market will result in lower prices, and, in turn, lowered prices will result in increased competition. The Project has a positive effect on the competitive marketplace in Illinois because adding new transmission capacity to the existing electrical system, as the Project will do, increases the supply of electric energy in the MISO Illinois region by allowing more imports and by facilitating construction of new wind generation capacity. The Project will increase supply within the MISO Illinois region, resulting in decreased wholesale electric energy prices, and substantially reduced payments by customers.

The Commission finds that the Illinois Rivers Project will promote development of an effectively competitive electricity market that operates efficiently in several ways. In general, it will allow greater amounts of low-cost wind energy to reach Illinois consumers, thereby lowering costs for meeting Illinois consumers’ needs for electricity and renewable energy. The MVP portfolio of projects that includes the Illinois Rivers Project provides additional connectivity across the grid, reducing congestion and enabling access to a broader array of resources by loads in Illinois and elsewhere. These improvements increase market efficiency, competitive supply, and provide opportunity for economic benefits to ratepayers well in excess of the portfolio costs. No party has challenged the market benefits of the Project. Therefore, the Commission believes that the Illinois Rivers Project represents the overall best solution for delivering these improvements, when considering generation, transmission, and other factors based on the expected future conditions. The Commission finds that the Illinois Rivers Project will “promote the development of an effectively competitive electricity market that operates efficiently, is equitable to all customers, and is the least cost means of

satisfying those objectives.” See 220 ILCS 5/8-406.1(f)(1).

During the MVP studies, ATXI identified potential transmission expansions that were consistent with the regional needs and would also provide reliability benefits to Illinois customers. The Illinois MVPs were then designed to achieve these reliability goals while still providing the overall benefits of the MVP portfolio. This resulted in the selection of certain substation locations as “drop off” points for the Illinois MVPs, at which the MVPs could connect to the existing 138 kV system and thereby provide the needed reliability benefits. The substations selected provide access to numerous 138 kV lines which distribute the energy throughout Illinois. ATXI concluded that the Project so connected eliminates the projected exposure to several post contingency overloads, and eliminates the projected exposure to low voltages and potential voltage collapse from several double contingency scenarios, as discussed below.

As a result of its analysis of several scenarios, ATXI determined that, when fully integrated into the transmission system, the Project will address a number of NERC violations while delivering renewable energy necessary to meet State RPS. The Project will also provide local voltage support to Quincy, Meredosia, Pawnee, Pana, Decatur and Champaign area loads and will reduce the exposure to dropping significant amounts of load for certain outage conditions during periods of high load demand. In all, the Project will address approximately 50 NERC Category B and 118 Category C violations projected at 2021 load levels. Moreover, the Project represents the first significant system upgrades within the Project area in more than 20 years. No party has disputed the existence of these reliability concerns. Thus, the Commission finds that the Project is needed to remedy these reliability concerns and necessary to provide adequate, reliable and efficient electric service.

As part of its evaluation process, MISO investigated alternative designs for the Project. These alternatives were rejected because they did not mitigate all reliability concerns, required longer and more costly rights-of-way, traversed more populated areas, or resulted in imprudent use of local lower-voltage facilities. Overall, MISO found that alternative paths for the Project were less effective and more costly due to longer line lengths. The Commission concurs with MISO’s determination that, among the available alternatives, the Project represents the “least-cost” means of remedying these reliability concerns.

Additionally, the Commission finds that Project represents the least-cost means of satisfying the service needs of consumers because the Project’s costs will be spread across the entire MISO footprint. Thus, MISO Illinois customers would bear approximately 9% of the total cost, whereas costs for correcting each of the identified reliability issues in piecemeal projects would be borne exclusively by Ameren Illinois area ratepayers. In other words, construction of the Project will allow ATXI to avoid the need to construct some reliability projects in the future. ATXI identified at least seven potential projects, costing an estimated \$613 million, that could be required by 2022 if the Illinois Rivers Project is not constructed. The alternative projects would be needed to address local reliability issues and therefore could be classified as Baseline Reliability

Projects, whose cost would be allocated entirely to Ameren Illinois area customers. Therefore, if constructed, it is expected that the cost of these alternative projects would be borne by Ameren Illinois area customers.

Because the project addresses reliability issues across Illinois, the Commission finds that it is “necessary to provide adequate, reliable, and efficient service to . . . customers,” as required by 220 ILCS 5/8-406.1(f)(1). Additionally, as the Project is the overall least cost alternative to provide the complete set of benefits sought and reduces the cost that would otherwise be born by Ameren Illinois area customers to address these reliability issues, the Commission finds that it is the least-cost means of satisfying the service needs of Ameren Illinois customers.

## **VII. LEAST-COST AND THE PROPOSED TRANSMISSION LINE ROUTES**

In order to issue a Certificate for the Project, the Commission must find that the Project is the “least-cost means” of either “provid[ing] adequate, reliable and efficient service” to utility customers, or “promot[ing] the development of an effectively competitive electricity market that operates efficiently, [and] is equitable to all customers.” See 220 ILCS 5/8-406.1(f)(1).

In assessing and evaluating each of the proposed routes for the transmission line, the Commission is aware that any routing decision inherently involves a balance of competing interests. The concept of least cost includes factors beyond merely dollar costs and the Commission’s selection of routes is based on consideration of all factors, not just dollar cost. See, e.g., *Ill. Power Co.*, Docket 06-0706, Order, pp. 52, 62 (Mar. 11, 2009); *Ill. Power Co.*, Docket 06-0179, Order, pp. 16-17 (May 16, 2007). The factors evaluated by the Commission include impacts to a variety of land uses, stakeholders, landowners and other members of the general public; cost considerations; constructability or other physical considerations; regulatory compliance; and other environmental considerations. The Commission concurs with Staff witness Mr. Rockrohr and ATXI witness Ms. Donell Murphy’s statements to the effect that there is simply no way to route the Project from the Missouri-Illinois state line to the Illinois-Indiana state line without affecting certain sensitive land uses such as farmland.

Section 8-406.1 requires that ATXI identify at least two alternate routes for a project: “[the] applicant shall provide and identify a primary right-of-way and one or more alternate rights-of-way for the Project. . . .” 220 ILCS 5/8-406.1(a)(1)(B)(viii). In compliance with that requirement, ATXI proposed both a Primary and Alternate Route.<sup>2</sup> The Commission notes that ATXI’s proposed routes were selected as a result of a thorough and extensive route siting analysis, which engaged the public, identified environmental siting criteria, and evaluated cost, conceptual design and constructability. ATXI methodically identified, reviewed, and either removed from consideration or further studied hundreds of route options, using public input, desktop analyses, and field observations. As part of the siting analysis, ATXI evaluated existing linear facilities such

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<sup>2</sup> A second Alternate Route was identified for the Pawnee to Pana portion only.

as transmission lines, pipelines, railroads, and other features, and considered impacts to the environment, wetlands and other land uses. ATXI then evaluated the cost and constructability of proposed routes. In addition, ATXI consulted with numerous government agencies, including the Illinois Environmental Protection Agency, Illinois Department of Natural Resources, Illinois Nature Preserves Commission, Illinois Historic Preservation Agency, Illinois Department of Transportation, Illinois Department of Agriculture, Federal Aviation Administration, United States Army Corps of Engineers, U.S. Environmental Protection Agency, and the United States Fish and Wildlife Service. This process led to the identification of ATXI's Primary and Alternate Routes.

Many Intervenors proposed alternative routes other than ATXI's Primary and Alternate Routes – in all, approximately 24 routes or route modifications were proposed by Intervenors.

Several parties raised a variety of property-specific concerns. The Commission must assess these concerns from the perspective of the public as a whole, however, and not based on the concerns of individuals. *Village of Hillside v. Ill. Comm. Comm'n*, 111 Ill. App. 3d 25, 31-32 (1st Dist., 1982) (noting that considerations such as the impact on the surrounding community from the sale of a utility-owned quarry and ash disposal site to a gravel corporation for use as a sanitary landfill were “not of paramount importance” to a Commission decision on public convenience and necessity). Moreover, the Commission finds that, for the reasons explained by ATXI, ATXI can mitigate many of the property-specific concerns raised by Intervenors in this proceeding during construction or addressed through compensation after issuance of the Certificate.

The Commission notes that ATXI intends to seek to coordinate with each landowner regarding placement of poles. ATXI has also stated its intent to fairly compensate affected landowners for the impact of the transmission line, so that after the line is constructed, there is no impact upon property resulting in diminution of value beyond that reflected in the compensation paid by ATXI. Upon completion of construction, ATXI also plans to assess and repair or compensate landowners for damage to crops, soil, fences and other property. Additionally, the Commission notes that ATXI and the Illinois Department of Agriculture have entered into an Agricultural Impact Mitigation Agreement (AIMA) that addresses concerns regarding damage to farmland and crops during both initial construction and future maintenance on the line.

Thus, the Commission finds that concerns that are specific to an individual parcel of property or landowner will not be determinative of the issue of whether the Project as a whole, or any particular portion of the Project, is in the interest of public convenience and necessity.

#### **A. Mississippi River – Quincy**

For this portion of the Project, ATXI recommends its Alternate Route, with a slight modification as the transmission line enters the Southeast Quincy Substation, in accordance with the Stipulation it entered into with Intervenors N. Kohl Grocer (NKG)



and Matt Holtmeyer Construction (MHC). All Intervenor interested in this portion of the Project support the Stipulated Route. NKG withdrew its support for its alternative routes pursuant to the Stipulation.

Only Staff witness Mr. Rockrohr expressed support in testimony for another route – NKG’s Secondary Alternate Route (NKG Route 2). However, the Commission finds that NKG Route 2 will likely require the transmission line to cross an existing transmission line at least two times to avoid displacing residences, may pose problems with respect to right-of-way width near Highway 57, and may pose reliability issues because it would be located on adjoining rights-of-way (or, according to NKG, on double-circuit structures). Alleviation of these concerns could increase the cost and difficulty of the route’s construction. Further, the Stipulated Route appears to represent the consensus of the parties with respect to this portion. As a result, the Stipulated Route is the best option for this portion of the Project.

The Commission’s analysis of the routing criteria discussed in the positions of the parties, above, produces the results displayed in the following table. A checkmark indicates that the route is favored with respect to the respective routing criteria.

RIVER - QUINCY		
Routing Factor:	Stipulated Route	NKG2
Length of Line		✓
Difficulty and Cost of Construction	✓	
Difficulty and Cost of Operation and Maintenance	✓	
Environmental Impacts		
Impacts on Historical Resources		
Social and Land-Use Impacts	✓	
Number of Affected Landowners and Other Stakeholders, and Proximity to Homes and Other Structures	✓	
Proximity to Existing and Planned Development	✓	
Community Acceptance	✓	
Visual Impact		
Presence of Existing Corridors	✓	
TOTAL:	7	1

Having reviewed the evidence of record, and upon consideration of all relevant route selection criteria as described by the parties, the Commission finds that the criteria described above favor the Stipulated Route for the Mississippi River-SE Quincy portion of the Project. Therefore, the Commission finds that the Stipulated Route for the Mississippi River-SE Quincy portion of the Project is the least-cost route when all costs and benefits are taken into account.

## **B. Quincy – Meredosia**

ATXI recommends the Hybrid Route, as proposed by Staff witness Mr. Rockrohr, for the portion of the Project between the Southeast Quincy Substation and Meredosia, Illinois.

The Commission finds that the Hybrid Route is the best option for this segment of the Project because it is cost-effective and eliminates concerns raised by almost all of the Intervenor who have submitted testimony regarding this portion of the Project. Only the Adams County Property Owners (ACPO) opposes this route. However, thirteen members of ACPO submitted record evidence concerning the Quincy-Meredosia portion of the Project. The Hybrid Route will resolve concerns regarding the impact of ATXI's proposed routes on the property of 10 out of the 13 testifying members of ACPO.

Only one other route was recommended for approval: ACPO's Alternate Route 1. The Commission finds this route is not the "least cost" as compared to the Hybrid Route. ACPO's Alternate Route 1 would traverse an existing residential area near Highway 172, potentially requiring the displacement of at least six assumed residences. Moreover, it would require approximately 40 additional acres of tree removal. ACPO characterized the western part of ACPO Route 1 as a "partially acquired unoccupied corridor," but approximately 50% of that corridor has not been acquired and any existing easements are too narrow to accommodate an additional 345 kV transmission line. Therefore, the corridor does not offer any meaningful routing advantage over the Hybrid Route. Additionally, ACPO Alternate Route 1 parallels an existing 138 kV line, which may present reliability, operational and maintenance concerns.

The Commission's analysis of the routing criteria discussed in the positions of the parties, above, produces the results displayed in the following table. A checkmark indicates that the route is favored with respect to the respective routing criteria.

QUINCY - MEREDOSIA		
Routing Factor:	Hybrid Route	ACPO Route 1
Length of Line		✓
Difficulty and Cost of Construction	✓	
Difficulty and Cost of Operation and Maintenance	✓	
Environmental Impacts	✓	
Impacts on Historical Resources	✓	
Social and Land-Use Impacts	✓	
Number of Affected Landowners and Other Stakeholders, and Proximity to Homes and Other Structures	✓	
Proximity to Existing and Planned Development	✓	
Community Acceptance	✓	
Visual Impact		
Presence of Existing Corridors	✓	
TOTAL:	9	1

Having reviewed the evidence of record, and upon consideration of all relevant route selection criteria as described by the parties, the Commission finds that the criteria described above favor the Hybrid Route for the Quincy-Meredosia portion of the Project, over ACPO Route 1. Therefore, the Commission finds that the Hybrid Route for the Quincy-Meredosia portion of the Project is the least-cost route when all costs and benefits are taken into account.

### **C. Meredosia – Ipava**

ATXI recommends a route for the Meredosia to Ipava portion of the Project that follows ATXI's Alternate Route, with a slight modification to avoid a sensitive environmental area (the Alternate/Stipulated Route), in accordance with the Stipulation it entered with The Nature Conservancy (TNC), which pertains to the portion of ATXI's Alternate Route between Meredosia and southern Schuyler County. Pursuant to the Stipulation, TNC withdrew its support for its proposed alternative routes. Staff witness Mr. Rockrohr and Intervenor Mr. Gerald Korsmeyer, however, support TNC's Route 1.

The Commission finds that the Alternate/Stipulated Route is superior to TNC Route 1 because it effectively balances concerns raised by the Intervening parties, and avoids environmentally sensitive areas. The Alternate/Stipulated Route has gained community acceptance by most effectively addressing the concerns raised by intervening parties. This route is supported by TNC, and avoids the property of several other Intervenor owners including Sherry Ralston, the Schuyler County Property Owners, Thomas and Lynda Freehill McLaughlin, and James and Tori Phillips. The Alternate/Stipulated Route appears to avoid property owned by Intervenor Wiese Farms. Although the Alternate/Stipulated Route would have an impact on property owned by the Korsmeyer Family Farm, the route runs along the eastern side of one of the Korsmeyer parcels, so it would not interfere with an irrigation system on that parcel, as was Korsmeyer's concern. Finally, the Alternate/Stipulated Route avoids the environmentally sensitive areas of the Spunky Bottoms Preserve, as well as the IDOT Wetland Mitigation Bank, about which TNC raised concern.

In contrast, TNC's Route 1 would likely result in displacement of a residence, and conflicts with a greater number of center-pivot irrigation systems. In addition, TNC's Route 1 parallels an existing 138 kV line, which may present reliability or operational issues.

The Commission's analysis of the routing criteria discussed in the positions of the parties, above, produces the results displayed in the following table. A checkmark indicates that the route is favored with respect to the respective routing criteria.

MEREDOSIA - IPAVA		
Routing Factor:	Stipulated Route	TNC 1
Length of Line		✓
Difficulty and Cost of Construction	✓	
Difficulty and Cost of Operation and Maintenance	✓	
Environmental Impacts	✓	
Impacts on Historical Resources		
Social and Land-Use Impacts	✓	
Number of Affected Landowners and Other Stakeholders, and Proximity to Homes and Other Structures	✓	
Proximity to Existing and Planned Development		
Community Acceptance	✓	
Visual Impact		
Presence of Existing Corridors	✓	
TOTAL:	7	1

Having reviewed the evidence of record, and upon consideration of all relevant route selection criteria as described by the parties, the Commission finds that the criteria described above favor the Stipulated Route for the Meredosia-Ipava portion of the Project, over TNC Route 1. Therefore, the Commission finds that the Stipulated Route for the Meredosia-Ipava portion of the Project is the least-cost route when all costs and benefits are taken into account.

#### **D. Meredosia – Pawnee**

ATXI and Intervenor Morgan and Sangamon County Landowners and Tenant Farmers (MSCLTF), and FutureGen Industrial Alliance, Inc. (FutureGen) recommend approval of ATXI's Alternate Route as the best option for the portion of the Project between Meredosia and Pawnee. The Stipulated Route would eliminate FutureGen's concerns that ATXI's Primary Route might interfere with its proposed operations. Intervenor the Pearce Family also support the Stipulated Route because it would alleviate their concerns.

Staff witness Mr. Rockrohr and Intervenor the Ruholl Family and Morgan, Sangamon and Scott Counties Land Preservation Group (MSSCLPG) support an alternative route that was initially proposed by MSCLTF (MSCLTF Route 1). MSCLTF has withdrawn its support of the route, and it appears that the list of landowners affected by MSCLTF Route 1 is incomplete, since MSCLTF made a request to supplement its landowner list which was never granted by the ALJs. These factors weigh against Commission approval of MSCLTF Route 1.

In the alternative, the Ruholl Family and MSSCLPG advocate approval of ATXI's Primary Route. Staff witness Mr. Rockrohr's second preference is for ATXI's Primary Route, as modified by the Pearce Family's alternate route proposal. However, the Commission finds this route to be less preferable than ATXI's Alternate Route because it could interfere with FutureGen's proposed operations in the area. Additionally, ATXI's Alternate Route would eliminate the concerns that led the Pearce Family to propose its modification to ATXI's Primary Route.

The Commission's analysis of the routing criteria discussed in the positions of the parties, above, produces the results displayed in the following table. A checkmark indicates that the route is favored with respect to the respective routing criteria.

MEREDOSIA - PAWNEE				
Routing Factor:	Stipulated Route	ATXI Primary Route	ATXI Primary Route with Pearce Modification	MSCLTF Withdrawn Route
Length of Line				✓
Difficulty and Cost of Construction	✓			
Difficulty and Cost of Operation and Maintenance	✓			
Environmental Impacts				
Impacts on Historical Resources				
Social and Land-Use Impacts				
Number of Affected Landowners and Other Stakeholders, and Proximity to Homes and Other Structures			✓	
Proximity to Existing and Planned Development	✓			
Community Acceptance				
Visual Impact				
Presence of Existing Corridors	✓			
TOTAL:	4	0	1	1

Having reviewed the evidence of record, and upon consideration of all relevant route selection criteria as described by the parties, the Commission finds that the criteria described above favor the Stipulated Route for the Meredosia-Pawnee portion of the Project, over all other proposed routes. Therefore, the Commission finds that the Stipulated Route for the Meredosia-Pawnee portion of the Project is the least-cost route when all costs and benefits are taken into account.

## E. Pawnee – Pana

ATXI identified three routes for the Pawnee to Pana portion of the Project: a Primary, a First Alternate and a Second Alternate. Staff recommends, and the Company agrees, that the Commission should approve ATXI's Second Alternate Route along this segment. ATXI's Second Alternate Route avoids several residences and is shorter than either the Primary or First Alternate, meaning it will cost less to construct. No other routes were proposed for this portion of the Project. Intervenor Ann Raynolds and Justin Ramey oppose this route. However, their opposition is based on property-specific concerns that are most effectively minimized by selection of ATXI's Second Alternate Route, because that route affects the fewest landowners as compared to the other routes proposed for this portion of the Project.

The Commission's analysis of the routing criteria discussed in the positions of the parties, above, produces the results displayed in the following table. A checkmark indicates that the route is favored with respect to the respective routing criteria.

PAWNEE - PANA	
Routing Factor:	ATXI Second Alternate Route
Length of Line	✓
Difficulty and Cost of Construction	✓
Difficulty and Cost of Operation and Maintenance	
Environmental Impacts	
Impacts on Historical Resources	
Social and Land-Use Impacts	✓
Number of Affected Landowners and Other Stakeholders, and Proximity to Homes and Other Structures	✓
Proximity to Existing and Planned Development	
Community Acceptance	✓
Visual Impact	
Presence of Existing Corridors	✓
TOTAL:	6

Having reviewed the evidence of record, and upon consideration of all relevant route selection criteria as described by the parties, the Commission finds that the criteria described above favor ATXI's Second Alternate Route for the Pawnee-Pana portion of the Project over all other proposed routes. Therefore, the Commission finds that ATXI's Second Alternate Route for the Pawnee-Pana portion of the Project is the least-cost route when all costs and benefits are taken into account.

## **F. Pana – Kansas**

### **1. Need for Mt. Zion Substation**

During the course of the proceeding, two parties questioned the need for a substation in Mt. Zion. These parties eventually conceded that the substation at Mt. Zion is necessary to the Project. The Commission finds, therefore, that ATXI's proposed new Mt. Zion substation is necessary to achieve the Project benefits, as well as reliability benefits because it will be located near existing 138 kV lines and its 345/138 kV transformer will provide an additional source to serve load in Decatur. The new Mt. Zion substation will also relieve loading on existing transmission facilities and enhance reliability in the Decatur area by providing transmission support for certain multiple contingency events, including certain Category C and Category D contingency events. This will reduce the exposure to dropping large amounts of customer load due to potential low voltage conditions.

The Commission finds that construction of ATXI's proposed Mt. Zion substation and related facilities is the least-cost method to achieve these benefits. The Project will receive the MVP cost allocation treatment, so that Ameren Illinois area customers will pay for approximately 9% of the total Project cost. Therefore, the Mt. Zion substation is necessary, and routing options that do not connect to Mt. Zion cannot be considered.

### **2. Location of Mt. Zion Substation**

The Commission finds that Staff witness Mr. Rockrohr's proposal to require AIC to extend two 138 kV lines to a Mt. Zion substation constructed in a more southerly location is, from a reliability standpoint, inferior to ATXI's proposed location of the Mt. Zion substation. ATXI's analysis indicated that Mr. Rockrohr's proposal did not address the future Decatur reliability concerns as effectively as ATXI's proposed location for the Mt. Zion substation. For these reasons, the Commission rejects Mr. Rockrohr's suggestion that ATXI construct a direct line from Pana to Kansas and relocate the Mt. Zion substation farther south.

### **3. Route Location**

#### **a. Pana – Kansas**

As discussed above, the Commission finds that the Mt. Zion substation is necessary, and the Commission must therefore reject all route proposals that do not connect to a substation in Mt. Zion. Thus, the Commission rejects MCPO's original proposed route connecting Pana directly to Kansas, and finds it unnecessary to consider the eleven routing factors with respect to this route.

#### **b. Pana – Mt. Zion**

ATXI, MCPO, Staff and the Shelby County Land Owners support the "Stipulated Route." The Stipulated Route will also resolve the concerns of Gan Properties, LLC.

Mr. Corzine is the only party opposing this route, but the route he proposes in the alternative is not preferable.

The Stipulated Route represents the best route option from Pana to Mt. Zion for several reasons. It is shorter and costs approximately \$10 million less than ATXI's Alternate Route. It requires fewer angle structures and will therefore cost less than Mr. Corzine's Alternate Route following Highway 51. The Stipulated Route also impacts fewer landowners and residences than either ATXI's Alternate or the Highway 51 alternate route. Overall, the Stipulated Route is the preferred route from Pana – Mt. Zion – Kansas because it has fewer residential structures within 500 feet than any combination of ATXI's Proposed Routes from Pana to Mt. Zion to Kansas. Furthermore, it best reduces the potential for environmental impact, will require less tree removal and best reflects input received during this proceeding.

Mr. Corzine's proposed Highway 51 route, as acknowledged by Staff, is within very close proximity to several residences south of Assumption. This route would also require a significant increase in the number of angle structures, thereby increasing the cost of the route.

The Commission's analysis of the routing criteria discussed in the positions of the parties, above, produces the results displayed in the following table. A checkmark indicates that the route is favored with respect to the respective routing criteria.

PANA - MT. ZION		
Routing Factor:	Stipulated Route	Assumption Group / Corzine Highway 51 Route
Length of Line		✓
Difficulty and Cost of Construction	✓	
Difficulty and Cost of Operation and Maintenance		
Environmental Impacts	✓	
Impacts on Historical Resources	✓	
Social and Land-Use Impacts	✓	
Number of Affected Landowners and Other Stakeholders, and Proximity to Homes and Other Structures	✓	
Proximity to Existing and Planned Development		
Community Acceptance	✓	
Visual Impact		
Presence of Existing Corridors	✓	
TOTAL:	7	1



Having reviewed the evidence of record, and upon consideration of all relevant route selection criteria as described by the parties, the Commission finds that the criteria described above favor the Stipulated Route for the Pana-Mt. Zion portion of the Project over all other proposed routes. Therefore, the Commission finds that the Stipulated Route for the Pana-Mt. Zion portion of the Project is the least-cost route when all costs and benefits are taken into account.

**c. Mt. Zion – Kansas**

ATXI and MCPO advocate Commission approval of the route originally designated as MCPO Potential Route 1. The difference in length and cost between MCPO Potential Route 1 and ATXI's Primary and Alternate Routes are nominal, and the Stipulated Route is the least cost. It also impacts the fewest residences as compared to ATXI's Primary and Alternate Routes. While the Stipulated Route is longer than ATXI's Alternate Route, it requires fewer angle structures. There are 31 fewer residential structures within 500 feet of the Stipulated Routes from Pana to Mt. Zion to Kansas, when compared to ATXI's Recommended Rebuttal Route from Pana to Mt. Zion and Mt. Zion to Kansas.

MCPO Potential Route 1 also resolves the concerns of the majority of the parties affected by the various routes proposed for the Pana – Mt. Zion and Mt. Zion – Kansas portions of the Project. Of the 15 parties who own property along any of the routes proposed from Mt. Zion to Kansas, only one party, the Coalition of Property Owners and Interested Parties in Piatt, Douglas and Moultrie Counties (PDM), provided testimony opposing the Stipulated Route from Mt. Zion to Kansas. PDM supports approval of ATXI's Alternate Route.

The Commission's analysis of the routing criteria discussed in the positions of the parties, above, produces the results displayed in the following table. A checkmark indicates that the route is favored with respect to the respective routing criteria.

MT. ZION - KANSAS		
Routing Factor:	Stipulated Route	ATXI Alternate Route
Length of Line		✓
Difficulty and Cost of Construction	✓	
Difficulty and Cost of Operation and Maintenance		
Environmental Impacts	✓	
Impacts on Historical Resources		
Social and Land-Use Impacts	✓	
Number of Affected Landowners and Other Stakeholders, and Proximity to Homes and Other Structures	✓	
Proximity to Existing and Planned Development		

Community Acceptance	✓	
Visual Impact		
Presence of Existing Corridors	✓	
TOTAL:	6	1

Having reviewed the evidence of record, and upon consideration of all relevant route selection criteria as described by the parties, the Commission finds that the criteria described above favor the Stipulated Route for the Mt. Zion-Kansas portion of the Project, over all other proposed routes. Therefore, the Commission finds that the Stipulated Route for the Mt. Zion-Kansas portion of the Project is the least-cost route when all costs and benefits are taken into account.

### **G. Kansas – Indiana State Line**

ATXI, Stop the Power Lines Coalition (STPL),<sup>3</sup> Tarble Limestone Enterprises, JDL Broadcasting, Inc., Paul Thrift and John Thompson, and the Edgar County Intervenor recommend approval of ATXI's Alternate Route (the Stipulated Route). ATXI's Alternate Route has garnered the widest overall support and is the optimal route for this portion of the Project. It is the shortest of the routes proposed. It also has a low dollar cost. Importantly, the Stipulated Route also presents the lowest potential for societal impact relative to the other route proposals.

STPL'S second alternative route (STPL Route 2) is supported by Staff and Intervenor Rural Clark and Edgar Counties Concerned Citizens (RCECCC) and the Allen Family. STPL Route 2 runs east from ATXI's proposed Kansas substation site, paralleling an existing 138 kV transmission line for approximately 20 miles, at which point it turns south and joins the Stipulated Route to the State line. STPL Route 2 could require displacement of one or more occupied homes, and it is closer to more residences than the Stipulated Route.

ATXI's Primary Route has been the subject of lengthy discussion and argument in this proceeding, and is vehemently opposed by STPL, who contends that the route cannot be constructed as a result of a floodplain easement held by the Natural Resources Conservation Service. However, because no party currently advocates approval of that route, and the Commission does not approve construction along that route, we find it unnecessary to issue an opinion on the route's constructability. It is the practice of the Commission, administrative agencies, and state and federal courts, to defer ruling on matters that are not in controversy.

The Commission's analysis of the routing criteria discussed in the positions of the parties, above, produces the results displayed in the following table. A checkmark

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<sup>3</sup> STPL consists of 17 individual landowners, 5 of whom submitted record testimony. The Edgar County Intervenor consists of 3 individual landowners.

indicates that the route is favored with respect to the respective routing criteria.

KANSAS - STATE LINE				
Routing Factor:	Stipulated Route	ATXI Primary Route	STPL Route 1	STPL Route 2
Length of Line				✓
Difficulty and Cost of Construction	✓			
Difficulty and Cost of Operation and Maintenance	✓			
Environmental Impacts				
Impacts on Historical Resources	✓			
Social and Land-Use Impacts	✓			
Number of Affected Landowners and Other Stakeholders, and Proximity to Homes and Other Structures				
Proximity to Existing and Planned Development				
Community Acceptance	✓			
Visual Impact				
Presence of Existing Corridors	✓			
<b>TOTAL:</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>1</b>

Having reviewed the evidence of record, and upon consideration of all relevant route selection criteria as described by the parties, the Commission finds that the criteria described above favor the Stipulated Route for the Kansas-Indiana State Line portion of the Project over all other proposed routes. Therefore, the Commission finds that the Stipulated Route for the Kansas-Indiana State Line portion of the Project is the least-cost route when all costs and benefits are taken into account.

## **H. Sidney – Rising**

ATXI's Primary Route is supported by ATXI, Staff, and all but one of the Intervenor interested in this portion of the Project, including the City of Champaign, Colfax-Scott Land Preservation Group (CSLPG), the Ragheb Family, and Michael Lockwood. ATXI's Primary Route utilizes an existing easement corridor and corresponds with the route approved by the Commission in Docket 12-0080.

Only the Village of Savoy does not support the entire length of ATXI's Primary Route. However, ATXI's Primary Route in this area follows an existing unoccupied corridor of easements that were acquired by AIC in the 1970s, and the Village's 2008 Comprehensive Plan does not indicate any platted development in the vicinity of ATXI's Primary Route. The Commission therefore believes that disruption within the Village's jurisdiction will be minimal.

In summary, the Commission's analysis of the routing criteria produces the following results:

SIDNEY - RISING		
Routing Factor:	ATXI Primary Route	ATXI Alternate Route
Length of Line	✓	
Difficulty and Cost of Construction	✓	
Difficulty and Cost of Operation and Maintenance	✓	
Environmental Impacts	✓	
Impacts on Historical Resources		
Social and Land-Use Impacts	✓	
Number of Affected Landowners and Other Stakeholders, and Proximity to Homes and Other Structures	✓	
Proximity to Existing and Planned Development	✓	
Community Acceptance	✓	
Visual Impact		
Presence of Existing Corridors	✓	
TOTAL:	9	0

Having reviewed the evidence of record, and upon consideration of all relevant route selection criteria as described by the parties, the Commission finds that the criteria described above favor the Primary Route for the Sidney-Rising portion of the Project, over all other proposed routes. Therefore, the Commission finds that the Primary Route for the Sidney-Rising portion of the Project is the least-cost route when all costs and benefits are taken into account.

## VIII. MANAGING AND SUPERVISING THE CONSTRUCTION PROCESS

Section 8-406.1(f)(2) of the Act requires the Commission to find that the applicant "is capable of efficiently managing and supervising the construction process and has taken sufficient action to ensure adequate and efficient construction and supervision of the construction." 220 ILCS 5/8-406.1(f)(2).

ATXI has established that Ameren Services (AMS), on behalf of ATXI, will manage and supervise the construction processes. AMS has extensive experience in this regard, and has managed and supervised the construction processes of many transmission line projects approved by the Commission, including those approved in Docket Nos. 06-0179, 06-0706, 07-0532, 10-0079, 12-0080, and 12-0154. The Commission notes that no Intervenor has questioned ATXI's (or AMS's) ability to efficiently manage and supervise the Project's construction processes, or to ensure adequate and efficient construction and supervision of the Project. Only Staff raised a

related concern, but at hearing, Mr. Rockrohr testified his concern in this regard was largely resolved by ATXI's rebuttal filing. Thus, ATXI's ability to efficiently manage and supervise the construction process of the Project and to ensure adequate and efficient construction and supervision of it is not in dispute. The Commission finds that ATXI has made the requisite showing under Section 8-406.1(f)(2).

## **IX. FINANCING THE PROPOSED CONSTRUCTION**

Section 8-406.1(f)(3) of the Act requires that for the Commission to grant a Certificate, it must find that it is "capable of financing the proposed construction without significant adverse financial consequences for the utility or its customers." 220 ILCS 5/8-406.1(f)(3). Staff witness Mr. Rockrohr, in his direct testimony, commented that he did not know whether ATXI could finance the Project. However, on cross examination, Mr. Rockrohr admitted that he was not aware of anything that would lead him to question ATXI's ability to finance the Project. The record establishes ATXI is capable of financing the Project, and no Intervenor has argued otherwise.

The funds required for construction will be available to ATXI, at least initially, primarily from Ameren Corporation, its parent. The Commission finds that Ameren Corporation's access to debt and equity markets, its lines of credit amounting to \$2.1 billion, and the fact that the Project's total cost would add only approximately 7.5% to the June 30, 2012 capitalization of Ameren, each indicate that Ameren Corporation possesses the financial wherewithal to fund the Project without bearing significant adverse consequences. No party has disputed ATXI's access to Ameren Corporation's funds.

Moreover, because the Project will be part of MISO, ATXI will receive revenue via the MISO tariff. The MISO tariff also allows ATXI to recover its construction debt in the year in which it is incurred, and to earn a rate of return on the equity portion of its capitalization, meaning that ATXI will be made whole throughout its construction cycle. The Commission finds that these provisions significantly reduce the financial risk associated with the construction of the Project, and indicate that the Project will not impose financial stress on ATXI.

As a result, the Commission finds that ATXI is capable of financing the proposed construction without significant adverse financial consequences for ATXI or its customers.

## **X. OTHER**

### **A. INCLUSION OF SUBSTATIONS IN CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

ATXI has included within its description of the Project for which it seeks a Certificate several new substations, as well as upgrades or additions to several existing

substations. ATXI has shown that, in order to realize the full benefits of the Project, the Project must connect to the existing system and deliver energy to load. Therefore, the substation locations included within ATXI's Petition were selected as "drop off" points, at which the Project can connect to the existing 138 kV system and provide reliability benefits such as elimination of exposure to several post-contingency overloads and potential voltage collapse from several double contingency scenarios. Staff argued that new substation sites were not required at Ipava, Kansas, Sidney and Rising because the existing substations at those locations could be expanded to allow the Project to connect. However, ATXI has shown that the existing facilities at those substations are not sufficient to terminate the Project, and that the configurations proposed by Staff would require a much larger development than currently exists. Thus, the Commission concludes that the new substations, and the upgrades and additions to existing substations described in ATXI's Petition are an integral part of the Project and should be included within the Certificate.

## **B. SECTION 8-503 ORDER**

ATXI also seeks a Commission order authorizing the Project be built pursuant to Section 8-503 of the Act. Pursuant to Section 8-406.1(i) of the Act, "a decision granting a certificate under this Section shall include an order pursuant to Section 8-503 of this Act authorizing or directing the construction of the high voltage electric service line and related facilities as approved by the Commission, in the manner and within the time specified in said order." 220 ILCS 5/8-406.1(i). Section 8-503 of the Act provides whenever the Commission finds that additions to existing plant are necessary and ought reasonably to be made, or that a new structure or structures ought to be erected, the Commission "shall make and serve an order authorizing or directing that such additions . . . be made, or structure or structures be erected . . . ." 220 ILCS 5/8-503. No party opposes the issuance of a Section 8-503 Order. For the reasons set forth above, the Commission finds that the Project is necessary and authorizes its construction pursuant to Sections 8-503 and 8-406.1(i).

## **XI. FINDINGS AND ORDERING PARAGRAPHS**

The Commission, having considered the entire record herein, and being fully advised in the premises, is of the opinion and finds that:

- 1) Ameren Transmission Company of Illinois is a public utility within the meaning of Section 3-105(a)(1) of the Act;
- 2) The Commission has jurisdiction over Ameren Transmission Company of Illinois and the subject matter herein;
- 3) The recitals of fact and conclusions of law reached in the prefatory portion of this Order are supported by the record and are hereby adopted as findings of fact and conclusions of law for the purposes of this Order;
- 4) ATXI proposes to construct, operate and maintain approximately 375 miles of new 345 kV electric transmission line, together with certain new or

expanded substations, situated in portions of the counties of Adams, Brown, Cass, Champaign, Christian, Clark, Coles, Edgar, Fulton, Macon, Montgomery, Morgan, Moultrie, Pike, Sangamon, Schuyler, Scott and Shelby, Illinois;

- 5) The Project as approved herein will promote the public convenience and necessity;
- 6) The Project as approved herein is necessary to provide adequate, reliable and efficient service within the Project area and the MISO region;
- 7) The Project as approved herein is necessary to promote the development of an effectively competitive electricity market that operates efficiently, and is equitable to all customers;
- 8) The Project as approved along the routes listed below is the least-cost means of satisfying the service needs of customers within the Project area and the MISO region, and is the least-cost means of promoting development of an effectively competitive electricity market that operates efficiently and is equitable to all customers;
  - a. Mississippi River to Southeast Quincy: Stipulated Route
  - b. Southeast Quincy to Meredosia: Hybrid Route
  - c. Meredosia to Ipava: Stipulated Route
  - d. Meredosia to Pawnee: Stipulated Route
  - e. Pawnee to Pana: ATXI's Second Alternate Route
  - f. Pana to Mt. Zion: Stipulated Route
  - g. Mt. Zion to Kansas: Stipulated Route
  - h. Kansas to Indiana State Line: Stipulated Route
  - i. Sidney to Rising: ATXI's Primary Route
- 9) The easement widths for the 345 kV line as proposed by ATXI are reasonable and appropriate and should be approved;
- 10) The Project as approved herein, including substations and substation modifications, as well as the construction of the new Transmission Line as described in this Order, is necessary and ought reasonably to be made to promote the security or the convenience of the public and to secure adequate electric service or facilities to customers in the Project area, and ATXI should be authorized to construct the Project, pursuant to Section 8-503 of the Act at the locations and in the manner specified herein on, over, along, across, and through the parcels of land along the route described in and shown on Appendix A attached hereto.

IT IS THEREFORE ORDERED that Ameren Transmission Company of Illinois's Application seeking a Certificate of Public Convenience and Necessity, subject to the conditions approved herein, should be and hereby is granted;

IT IS FURTHER ORDERED by the Illinois Commerce Commission that a Certificate of Public Convenience and Necessity shall be issued to Ameren Transmission Company of Illinois pursuant to Section 8-406.1 of the Public Utilities Act, and that said certificate shall read as follows:

## CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

IT IS HEREBY CERTIFIED that the public convenience and necessity require (1) construction, operation, and maintenance by Ameren Transmission Company of Illinois of a transmission line as legally described in and shown on Appendix A attached hereto, together with such related facilities, land rights, ties to adjacent transmission lines, or repairs, as are or may become reasonably necessary to promote the public convenience and necessity and to secure adequate service; and (2) the transaction of an electric public utility business in connection therewith, all as herein before set forth.

IT IS FURTHER ORDERED that the transmission line routes, as legally described and the location of which is shown on Appendix A, is hereby approved, and the right-of-way width on such route shall be as set forth in the prefatory portion of this order;

IT IS FURTHER ORDERED that, pursuant to Section 8-503 of the Public Utilities Act, Ameren Transmission Company of Illinois is hereby authorized and directed to construct, operate, and maintain the Project as described herein, including certain new or expanded substations and the construction of the Transmission Line, on, over, along, across and through the parcels of land along the route described in and shown on Appendix A attached hereto.

IT IS FURTHER ORDERED that subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.



Dated: June 10, 2013

Respectfully submitted,

Ameren Transmission Company of Illinois

/s/ Albert D. Sturtevant

One of their Attorneys

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### **CERTIFICATE OF SERVICE**

I, Albert Sturtevant, an attorney, certify that June 10, 2013, I caused a copy of the foregoing *Suggested Conclusions of Ameren Transmission Company of Illinois* to be served by electronic mail to the individuals on the Commission's Service List for Docket 12-0598.

/s/ Albert D. Sturtevant

Attorney for Ameren Transmission Company of Illinois